GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Nursing Education – Cancellation of the Essentiality Certificates issued to the colleges of Bachelor of Physiotherapy (BPT), B.Sc.MLT and BSc (Nursing) courses under Satya Academy of Technical Education, Guntur - Orders – Issued.

HEALTH, MEDICAL & FAMILY WELFARE (C2) DEPARTMENT

G.O.MS.No. 57 Dated: 23-05-2016

Read the following:-

1. G.O.Ms.No.57, HM&FW (C2) Deptt, dated:9.6.2015.
2. Hon'ble APHC Orders dt:28.07.2015 in WP Nos.14255 & 17765 of 2015.
3. G.O.Rt.No.62, HM&FW(C2)Dept., dt:8.2.2016.
4. G.O.Rt.No.63, HM&FW(C2)Dept., dt:8.2.2016
5. G.O.Rt.No.64, HM&FW(C2)Dept., dt:8.2.2016
6. Explanations from the management of SIMER Lr Nos.125/P/16, 221/R/16, 112/S/16, dt:25.02.2016.
7. From the Registrar, Dr.NTRUHS Lr No.6905/A5/Nsg/04, dt:2.3.2016.
8. Representation of SIMER College Students.

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ORDER:

In the G.O 1st read above, orders were issued to cancel the Essentiality Certificate issued to the following colleges established by Satya Academy of Technical Education, Guntur, on the basis of complaints from the students of all the three colleges i.e B.Sc (N), BPT, B.Sc(MLT) against the management of Satya Academy of Technical Education, Guntur and the deficiencies identified by the inspection committee appointed by Dr.NTRUHS and also in view of the unanimous Resolution of the 215th Executive Council meeting of Dr.NTRUHS held on 13.2.2015.

1. In G.O.Ms.No.656, HM&FW (K2) Deptt, dated:07-11-2003, orders were issued according permission to Satya Academy of Technical Education, Guntur to start Bachelor of Physiotherapy(BPT) Courses in Satya Institute of Medical Education and Research (SIMER) College of Physiotherapy, Lakshimipuram, Guntur.

2. In G.O.Ms.No.657, HM&FW (K2) Deptt, dated:07-11-2003, Satya Academy of Technical Education, Guntur was permitted to start B.Sc.MLT course in Satya Institute of Medical Education and Research (SIMER) College of Medical Lab Technology, Nethajee Colony Extension, Guntur.

3. In G.O.Ms.No.358, HM&FW (K2) Deptt, dated:30-9-2004, orders were issued according permission to Satya Academy of Technical Education, Guntur to start BSc (Nursing) course of 4 years duration in Satya Institute of Medical Education and Research (SIMER) College of Nursing Lalpuram Road, Guntur.

2. The Director of Medical Education, AP and the Registrar, Dr. NTRUHS were also instructed in the aforementioned G.O to take necessary action to accommodate the students who are pursuing BPT, B.Sc (MLT) and B.Sc(N) courses in the nearby colleges duly following the procedure in vogue.

(PTO)

3. The management of SIMER approached Hon'ble High Court by filing WP No.14255 and 17765/2015 and the Hon'ble APHC has delivered judgment dt 28.07.2015 in WP No. 14225 and 17765 of 2015. The relevant portion of the common order is extracted below:

> *"This Court also perused G.O.Ms.No.57, Health, Medical & Family Welfare (C2) Department, dated 10.06.2015, which is almost a replica of the order of the University dated 31.03.2015. The Government appears to have passed the said order without giving any notice, merely based on the report submitted by the respondent University. The order of permissions granted in G.O.Ms.Nos.656 and 657, dated 07.11.2003 contain the safeguard of fifteen days notice for showing cause against cancellation of permission and it reads as follows:*
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> *"The permission granted in para (2) above is liable for cancellation whenever the Government/NTR University of Health Sciences, Vijayawada forms the opinion, based on an inspection report that the aforementioned Educational Society is not running the college in the best interests of the students or any irregularity is committed or violates any of rules and regulations after giving 15 days notice to the Educational Society to show cause, against the proposed cancellation and pass appropriate orders after considering the explanation, if any, offered by the Society against the show cause notice."*
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> *No notice was issued by the Government at the time of cancellation of Essentiality Certificates.*
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> *In the circumstances, the impugned order in proceedings No.6905/A5/Nsg/04 dated 31.03.2015 passed by the respondent University, and G.O.Ms.No.57, Health, Medical & Family Welfare (C2) Department, dated 10.06.2015, are set aside, but, giving liberty to the respondent University to issue a fresh show cause notice with specific charges in respect of each college specifically alleging the grounds of irregularities and serve the same on the respective colleges within a period of fifteen days from the date of receipt of a copy of this order. It is open to the respective colleges to submit their explanation within a period of fifteen days from the date of receipt of the show cause notice, and, after receipt of explanation within the time specified, the respondent University shall consider the explanation with the available material on record and pass a final order in respect of each college within thirty days thereafter.*
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> *Independent of the above procedure, the first respondent shall issue appropriate show cause notice to the petitioner, who is running three colleges, if the first respondent wants to cancel the Essentiality Certificates, and give sufficient time to the petitioner for submitting its explanation. After considering the explanation, the first respondent shall take an independent decision by considering the explanation as well as the report of the University and pass appropriate orders thereon.*
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> *Both the Writ Petitions are allowed subject to the course of action indicated above. The status quo order granted by this Court on 07.05.2015 shall continue till the date of passing of final orders by the University and the Government. The miscellaneous petitions pending, if any, shall stand closed.*
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> *There shall be no order as to costs".*

(Conttd)

4. In the G.Os 3rd, 4th and 5th read above, Government have issued the independent show cause notices to the management of SIMER in respect of B.Sc (Nursing), B.Sc (MLT) and BPT courses respectively. The notable deficiencies communicated in the show cause notices are the grossly inadequate faculty; faculty not experienced as per statutory prescriptions; inadequate physical facilities i.e all the three courses are being run in one building; improper maintenance of the building; shabby sanitation facilities; no provision for safe and adequate drinking water; no proper plan for any programme; no power supply to the entire college building and it is found that the electrical wires are disconnected; Conditions of the labs, call rooms, principal room, hostel and the surroundings are very unhygienic and not properly maintained; clinical training and material are not as per the standards prescribed by statutory bodies, no lab equipment etc,.

5. In the letter 6th read above, the explanations for each of the show cause notice were received from the management of SIMER, Guntur. In the explanation offered to each of the show cause notices, the management of SIMER has simply tried to counter each of the deficiencies that the allegation is not correct and that they are having both physical and clinical infrastructure. None of the explanation is supported by any documentary evidence of the institutions having the facilities as per the statutory requirements.

6. In the letter 7th read above, the Registrar, Dr.NTRUHS has reported that in pursuance of the directions of the Hon'ble High Court, a fresh show cause notice with specific charges was issued to SIMER college of Nursing, Guntur and a letter dt:8.10.2015 in this context was already sent and explanation was received from the Principal on 14.09.2015 without any supporting documents required for significance of compliance to the deficiencies pointed out by the inspectors during the enquiry and inspections, which resulted in disaffiliation. He has further reported that the students of SIMER College of Nursing, Guntur have submitted the representation and made the following allegations against the college:

1. No staff
2. No drinking water.
3. No labs
4. No bathrooms
5. Classes not conducted by the college.
6. Students sexually harassed by some persons and threatening the students to fail the exams if not agreed.

7. In the representation 8th read above (dt.nil) addressed to Prl. Secretary, the students of SIMER college have represented that there is no proper teaching faculty in their institutions. Despite so many complaints being made to Dr.NTRUHS, no action is being taken against the management of SIMER. They have requested the Government to look into the matter and do justice to them.

8. In view of the circumstances explained above and as the explanations offered by SIMER, Guntur to the show cause notices issued are not convincing, and no proof of having all the physical and clinical facilities and faculty required as per statutory requirements have been appended to their explanations, the Government after careful examination of the matter hereby cancel the Essentiality Certificates issued to the following colleges established by Satya Academy of Technical Education, Guntur.

1. In G.O.Ms.No.656, HM&FW (K2) Deptt, dated:07-11-2003, orders were issued according permission to Satya Academy of Technical Education, Guntur to start Bachelor of Physiotherapy(BPT) Courses in Satya Institute of Medical Education and Research (SIMER) College of Physiotherapy, Lakshimipuram, Guntur.

(PTO)

2. In G.O.Ms.No.657, HM&FW (K2) Deptt, dated:07-11-2003, Satya Academy of Technical Education, Guntur was permitted to start B.Sc.MLT course in Satya Institute of Medical Education and Research (SIMER) College of Medical Lab Technology, Nethajee Colony Extension, Guntur.

3. In G.O.Ms.No.358, HM&FW (K2) Deptt, dated:30-9-2004, orders were issued according permission to Satya Academy of Technical Education, Guntur to start BSc (Nursing) course of 4 years duration in Satya Institute of Medical Education and Research (SIMER) College of Nursing Lalpuram Road, Guntur.

9. The Director of Medical Education, A.P. Hyderabad and the Registrar, Dr.NTR University of Health Sciences, Vijayawada shall take necessary action to accommodate the students who are pursuing BPT, B.Sc.(MLT) and B.Sc.(N) courses in the nearby colleges duly following the procedure in vogue.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Registrar, Dr.NTR University of Health Sciences, Vijayawada
The Director of Medical Education, A.P., Hyderabad
The Secretary & Correspondent, Satya Academy of Technical Education, Srinivasaraopet, Guntur, 522004.

Copy to:
The President, APNMC, Hyderabad.
The Secretary, Indian Nursing Council, Combined Councils building, Kotla Road, Temple Lane, New Delhi-110 002.
OSD to Minister for (H&ME)
PS to Prl. Secretary to Government, HM&FW Department.
SF/SCs.

// FORWARDED :: BY ORDER//

SECTION OFFICER